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Representing the United States of America

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

V.

JORGE OMAR FERNANDEZ,

Defendant.

Case No. 2:17-cr-408-JCM-VCF

**MOTION AND ORDER TO
DISMISS INDICTMENT
WITHOUT PREJUDICE**

The United States of America by DAYLE ELIESON, United States Attorney for the District of Nevada, and Kimberly M. Frayn, Assistant United States Attorney, requests pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, that the Court enter an order allowing the government to dismiss without prejudice the charges brought against defendant JORGE OMAR

1 FERNANDEZ contained in the Indictment in case number 2:17-cr-408-JCM-VCF.

2 DATED this 3rd day of April, 2018.
3

4 Respectfully submitted,

5 DAYLE ELIESON
6 United States Attorney

7 /s/ Kimberly M. Frayn
8 KIMBERLY M. FRAYN
9 Assistant United States Attorney

10 CERTIFICATE OF SERVICE

11 I, Kimberly M. Frayn, hereby certify that I am an employee of the United States Attorney's
12 Office for the District of Nevada and further certify that a copy of the foregoing motion was served
13 electronically upon counsel for the defendant by the EM/ECF electronic system.

14 /s/ Kimberly M. Frayn
15 KIMBERLY M. FRAYN

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:17-cr-408-JCM-VCF

Plaintiff,

**ORDER OF DISMISSAL OF THE
INDICTMENT WITHOUT
PREJUDICE**

V.

JORGE OMAR FERNANDEZ,

Defendant.

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and upon leave of Court, the United States Attorney for the District of Nevada hereby dismisses without prejudice the charges brought against defendant JORGE OMAR FERNANDEZ contained in the Indictment in case number 2:17-cr-408-JCM-VCF.

Respectfully submitted,

DAYLE ELIESON
United States Attorney

/s/ Kimberly M. Frayn
KIMBERLY M. FRAYN
Assistant United States Attorney

Leave of Court is granted for the filing of the foregoing dismissal of the charges brought against defendant JORGE OMAR FERNANDEZ contained in the Indictment in case number 2:17-cr-408-
ICM-VCE

DATED April 11, 2018.

James C. Mahan
UNITED STATES DISTRICT JUDGE